



October 1, 1999

Ms. Jennifer S. Riggs  
Hill, Gilstrap, Adams & Graham, L.L.P.  
1005 Congress avenue, Suite 880  
Austin, Texas 78701

OR99-2795

Dear Ms. Riggs:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your requests were assigned ID# 127902.

The Edna Housing Authority (the "housing authority") received a request for a copy of the proposed litigation policy and a copy of the original policy prior to mark-ups. You contend that the requested information is excepted from disclosure pursuant to sections 552.101, 552.103, 552.107, and 552.111 of the Government Code.

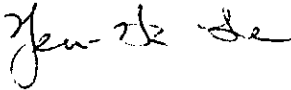
Section 552.107(1) excepts information from disclosure if:

it is information that the attorney general or an attorney of a political subdivision is prohibited from disclosing because of a duty to the client under the Texas Rules of Civil Evidence, the Texas Rules of Criminal Evidence, or the Texas Disciplinary Rules of Professional Conduct.

In Open Records Decision No. 574 (1990), this office concluded that section 552.107(1) excepts from public disclosure only "privileged information," that is, information that reflects either confidential communications from the client to the attorney or the attorney's legal advice or opinions; it does not apply to all client information held by a governmental body's attorney. ORD 574 at 5. Section 552.107(1) does not protect purely factual information. *Id.* For example, section 552.107(1) does not except from disclosure the factual recounting of events or the documentation of calls made, meetings attended, and memos sent. *Id.* Having reviewed the submitted information, we find that it is excepted from disclosure under section 552.107(1) as an attorney's legal advice to her client, the Board of the housing authority.

Because we are able to resolve this matter under section 552.107, we do not address your other claims at this time. We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Yen-Ha Le".

Yen-Ha Le  
Assistant Attorney General  
Open Records Division

YHL/nc

Ref: ID# 127902

Encl. Submitted documents

cc: Ms. Terre Hinojosa  
P.O. Box 445  
Ganado, Texas 77962-0445  
(w/o enclosures)